



## MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen  
*Chair*

Kenita V. Barrow  
*Vice Chair*

**June 28, 2016**

### **Waiver 16-06-013**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Charlene Rodriquez is a Health Room Tech working with the Department of Health and Human Services (DHHS) School Health Services. She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Quest Diagnostics/Shady Grove Lab (Quest).

DHHS contracts with Quest for medical lab services for the County's Public Health Clinics. Ms. Rodriquez's outside employment with Quest has no relationship to the contract DHHS has with the hospital, and her employment with DHHS as a Health Room Tech does not involve the monitoring or negotiation of the Quest contracts with DHHS.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Rodriquez.

For the Commission:

Steven Rosen, Chair